

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

TOMMY D. SMITH
ADC #100108

PLAINTIFF

V. NO. 5:08cv00080 JMM

MICHAEL DELONEY, et al

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition received from Magistrate Judge Jerry Cavaneau and the objections filed in response, and has further reviewed the relevant record de novo. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Defendants' motion for judgment on the pleadings (or, in the alternative, motion for summary judgment) (doc. 24) is granted and Plaintiff's case is dismissed, without prejudice, in its entirety. All pending motions are denied as moot

The evidentiary hearing set for November 25, 2008, in Pine Bluff (see doc. 28) is cancelled.

IT IS SO ORDERED this 3rd day of October, 2008.



UNITED STATES DISTRICT JUDGE